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June 9

Major General Charles F. Bowen
The Adjutant General
State House

Dear Sir:

You have asked the opinion of this office whether the State may rent or lease certain of the parking spaces at the State Armory in Manchester for the use of a private organization located nearby. We answer in the negative.

In the case of Gusano Ill. v. Saunders, 262 Mich. 451, it was pointed out that grounds maintained for drilling purposes and for target practice "are as much a part of the armory as the building itself." It is believed that a parking space adjacent to and provided for use in connection with an armory is, similarly, to be deemed a part of the armory. See also 6 C J S 342. Resolution of the question which you raise then, is governed by the provisions of R. L. c. 143, s. 105. As you are aware, the section cited limits the use of armories to such non-military uses as "conventions, public meetings, exhibitions, exhibitions and charitable purposes not sectarian or fraternal." The use relative to which you inquire falls into none of these.

Very truly yours,

Warren E. Waters
Assistant Attorney General

WEL:RM